

for GM Linden MSD 002 186 690



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December 9, 2015

Mr. Gary Greulich
New Jersey Department of Environmental Protection
Northern Regional Office
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

RE: Remedial Action Progress Report No. 25 for the Industrial #1 Redevelopment Area Portion of the Former General Motors (GM) Linden Assembly Plant, 1016 West Edgar Road, Linden, Union County, New Jersey 07036; DUK059.701.0196.

Dear Mr. Greulich:

On May 28, 2009, the New Jersey Department of Environmental Protection (NJDEP) approved the New Jersey Remedial Action Workplan and RCRA Corrective Measures Proposal Addendum No. 2 (RAWP) for the Industrial #1 Redevelopment Area of the Former GM Linden Assembly Plant. The May 28, 2009 approval letter requested Remedial Action Progress Report for the Industrial #1 Redevelopment Area on/by November 30, 2009. Subsequent reports are submitted on a quarterly basis.

As discussed during extensive correspondence with NJDEP, the Industrial #1 Redevelopment Area was sold in late-2013 by Linden Development LLC to Duke Linden LLC (Duke Linden). Duke Realty Corporation is a primary member of both the former owner (Linden Development LLC) and new owner (Duke Linden) and will provide for consistent implementation of the previously-approved remedial strategy outlined in RAWP Addendum No. 2.

As part of the property transaction, NJDEP assigned the following updated identification numbers for the industrial portion of the Former GM Plant which includes the Industrial #1 Redevelopment Area:

- Program Interest Number: 621084
- Case Tracking Number: E20040531-Industrial

This letter constitutes Remedial Action Progress Report No. 25 for the Industrial #1 Redevelopment Area. Hull has prepared this report on behalf of Duke Linden to summarize remedial activities completed on the Site between September 1, 2015 and November 30, 2015.

Requirements, according to N.J.A.C. 7:26E-6.6, are shown below in **bold italics**, with Hull/Duke Linden's update following. The report certification required by N.J.A.C. 7:26E-1.5 is included in Attachment A.

1. NJDEP requires a description of each planned remedial action

- scheduled to be initiated or completed within the reporting period***
- actually initiated or completed during the reporting period; and***
- scheduled but not initiated or not completed during the reporting period, including the reasons for the noncompliance with the approved schedule.***

Soil

As outlined in the approved RAWP, the remedial activities for soils on the Industrial #1 Redevelopment Area consist of the following:



- a. Establishing deed restrictions or environmental covenants to maintain commercial/industrial land use at the Site;
- b. Regrading the site to achieve the grade necessary to support the proposed redevelopment;
- c. Constructing building slabs, parking areas and roadways and placing one foot of clean soil over geotextile fabric in future greenspaces to preclude direct contact exposures to future receptor populations and/or provide cover to historical fill material; and
- d. Surveying to demonstrate that all areas are covered with engineering controls (e.g., building slabs, parking areas and roadways) or one foot of clean soil.

These remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon finalization of agreements with end users. Duke Linden is currently constructing a building on the last remaining portion of the Industrial #1 Redevelopment Area. The construction activities described in the RAWP have been completed or are currently being implemented in the Industrial #1 redevelopment portion of the site.

During the current reporting period, Duke Linden submitted the Building 12 and Building 13 Soil Remedial Action Reports (RAR) and permit applications to NJDEP. Duke Linden also started construction of Building 11. Construction activities are being conducted consistent with the approved RAWP. Building 11 activities conducted during the reporting period include earthwork (building pad and site), concrete demolition, asphalt removal, and installation of foundation components, subsurface utilities, vapor barrier and building slab. Demolished concrete and asphalt were stockpiled on the Retail Redevelopment area of the Site. During the next reporting period, Duke anticipates continuing concrete demolition and asphalt removal, subsurface utility installation and completing the vapor barrier and building slab pour in the loading dock areas, installation of structural steel, exterior tilt-up wall panels and roofing. The anticipated construction schedule for Building 11 was provided in previous quarterly report No 24.

Fill Material Import

As discussed in previous reports, Duke has imported structural fill material from off-site sources for use in redevelopment activities.

During the reporting period, approximately 15,700 tons of material were imported from the following sources:

1. Bound Brook Quarry. 258 tons of crushed stone (virgin source), 810 Thompson Ave, Bound Brook, NJ 08805.
2. Trap Rock Industries, LLC. Kingston Quarry. 15,440 tons of crushed stone (virgin source), 475 DeMott Lane, Sommerset, NJ 08528

The material from both sources consists of clean, native, virgin crushed stone from the Bound Brook Quarry and Kingston Quarry. As such, characterization sampling is not required pursuant to the RAWP.

Groundwater

The RAWP for the Industrial #1 Redevelopment Area was limited to soils. Groundwater actions, if any, are related to resolution of the disputed groundwater issue between the Site and neighboring Merck Pharmaceutical facility. Based on the findings outlined in Duke Linden's latest disputed groundwater investigation report prepared by Hull (i.e., MW-97 Monitoring Well Cluster Installation and Supplemental Groundwater Sampling Report, July 2012), the groundwater impacts associated with the disputed groundwater area are associated with off-site sources. NJDEP issued a technical comment

letter dated November 30, 2012 outlining the findings from the agency review of the July 2012 report. NJDEP's letter indicates that no sources have been identified on the Duke Linden property that created the groundwater contamination in the dispute. The NJDEP letter requests that Linden Development (now Duke Linden) perform an additional year of groundwater monitoring in the southern portion of the site. A work plan for the groundwater sampling was submitted in late-March 2013. NJDEP issued initial comments on the groundwater sampling work plan via email on September 26, 2013.

Linden Development / Duke Linden conducted a facility-wide groundwater sampling event in late-November and December 2013 in consultation with NJDEP. The wells included in the facility-wide event included those outlined in the March 2013 groundwater monitoring plan, as well as the additional wells requested by the NJDEP case team via email dated September 26, 2013.

NJDEP provided final approval of the groundwater monitoring plan on April 4, 2014. Linden Development / Duke Linden conducted additional facility-wide groundwater sampling events in late April/early May 2014, late August/early September 2014 and December 2014/January 2015. The groundwater results were provided to NJDEP in the March 2015 Supplemental Quarterly Groundwater Monitoring Report prepared by Hull. Additional groundwater monitoring was recommended to confirm the December 2014 results that showed a significant decrease in volatile organic compounds (VOCs) in a number of wells. Additional sampling locations were added following consultation with the NJDEP.

In April 2015, the additional groundwater sampling was conducted to further monitor groundwater concentration trends, to confirm the December 2014 results that showed a significant decrease in VOCs in a number of wells, collect additional data to further support that impact to the weathered and bedrock groundwater zones are attributable to off-site sources, and to assist in establishing a CEA for the Industrial Redevelopment Areas at the Site. The results of the April 2015 supplemental sampling event were provided to NJDEP in a letter report dated May 19, 2015 under separate cover. In anticipation of Building 11 construction, the report recommended decommissioning a number of monitoring wells in the planned Building 11 area and wells located within the interior of Building 13. On June 19, 2015, the NJDEP Case Manager approved decommissioning of nine shallow overburden wells, four deep overburden wells, six weathered bedrock wells, and eight bedrock wells. The wells were decommissioned between June 21 and June 25, 2015 by Advanced Drilling, Inc. and documented in previous Progress Report #24.

On August 25, 2015, Duke, Hull and JM Sorge met with the NJDEP Case Manager to discuss establishing Classification Exception Areas (CEA) for the Retail and Industrial portions of the site. Based on the meeting, a groundwater permit and CEA will be established for the overburden groundwater zones over a portion of the Industrial #1 and #2 Development Areas in the AOI-6 area. Between November 23 and 25, 2015, groundwater samples were collected from monitoring wells MW-18S, MW-22S, MW-39S, 96S, BEC-9D, MW-35D, MW-91D, MW-92D, MW-93D, MW-95D, and MW-96D in support of the groundwater permit and CEA. The groundwater analytical results will be provided in the next quarterly report.

Storm Sewer (AOI-18)

Remedial activities associated with AOI-18 are complete, as documented in Remedial Action Progress Report No. 1 (November 2009).

2. NJDEP requires discussion of problems and delays in the implementation of the RAWP, which should include proposals for corrections.

As discussed above, remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon establishment of agreements with end users. During the current reporting period Duke commenced with construction of Building 11. The Building 11

area occupies the remainder of the Industrial #1 Redevelopment Area and Industrial #2 Redevelopment Area.

3. NJDEP requires proposals for a deviation from, or modification to, the approved RAWP.

No deviations from, or modifications to, the approved RAWP are planned or required at this time.

4. NJDEP requires submittal of a revised schedule pursuant to N.J.A.C. 7:26E-6.5, to reflect the changes as noted in 1 through 3 above.

As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and implementation of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports.

A tentative construction schedule for Building 11 was included in Progress Report 23 and an updated construction schedule for Buildings 11 was provided in Remedial Action Progress Reports No. 24.

5. NJDEP requires an updated status of all permit applications relative to the critical path schedule.

The permits required for initiation of the remedial activities are summarized below.

Permit/Approval Type	Status	Notes
Planning Board Approval	Approved 11/17/08	Site plan approved by City of Linden Planning Board
NPDES Permit (Storm Water)	Approved 9/16/09	NPDES Permit No. 0088323
Soil Conservation District	Approved 9/16/09	Approved by Somerset-Union Conservation District
Building Permit for Building 12	Approved 12/4/13; Updated 7/10/14	
Building Permit for Building 13	Approved 6/12/14	
Building Permit for Building 11	Approved 9/24/15	

6. NJDEP requires a listing of each remedial action to be performed during the next reporting period.

The primary construction activities related to Building 11 were initiated during this reporting period. During the next reporting period, construction activities related to Building 11 are summarized as follows:

- Cut to fill site
- Installation of utilities
- Structural steel erection
- Installation of tilt-up walls
- Installation of roofing

7. NJDEP requires costs of each remedial action

- Annual summary of all remedial action costs incurred to date; and**
- Revised cost estimate for remedial actions remaining to be performed.**

Costs incurred include approximately \$7,000 for AOI-18 storm sewer cleaning, approximately \$15,000 for UST closure activities and approximately \$7,000,000 for earthwork, installation of paving and building slabs and landscaping activities to date.

The overall cost estimate for completing remedial activities remains consistent with that presented in the RAWP (i.e., approximately \$11,900,000 for earthwork and construction of engineering controls).

- 8. NJDEP requires a tabulation of sampling results (according to N.J.A.C. 7:26E-3.13(c)3) received during the reporting period and a summary of the data and any conclusions, presented in a format consistent with N.J.A.C. 7:26E-4.8.**

A groundwater sampling event was conducted between November 23 and 25, 2015. Groundwater-related sampling results will be reported in the next quarterly progress report.

- 9. NJDEP requires a summary of active groundwater remedial actions**

- i. **groundwater elevation maps with groundwater flow shown immediately before and during active groundwater remediation;**
- ii. **graphs depicting changes in concentrations over time for all impacted wells as well as all down-gradient wells;**
- iii. **summary of volume of water treated since last reporting period and the total volume treated since active remedial action commenced; and**
- iv. **Summary of groundwater contamination, indicating either that contamination remains above applicable standards (include a proposal detailing additional remedial actions) or that concentrations are below applicable standards.**

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

- 10. NJDEP requires a summary of natural remediation groundwater remedial actions**

- i. **Summary table of the groundwater monitoring results collected; and**
- ii. **Conclusions whether data indicate that natural remediation is no longer appropriate (must then also submit a revised RAWP)**

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

- 11. NJDEP requires a description of all wastes generated as a result of the remedial action**

- i. **Tabulation of waste characterization samples collected, including the physical state of the material, volume, number of samples, analyses performed and results;**
- ii. **Listing of types and quantities of waste generated by the remedial action during the reporting period as well as to date;**
- iii. **Name of the disposal facility used;**
- iv. **Transporters' dates of disposal; and**
- v. **Manifest numbers of each waste shipment.**

During the current reporting period, investigative derived waste (IDW) from the November 2015 groundwater sampling event was generated. Waste characterization samples of the IDW were collected and the analytical results along with disposal documentation will be provided in the next quarterly report.

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12. NJDEP requires that any additional support documentation that is available also be provided (photos, etc.).

Photographs showing Building 11 construction activities are included in Attachment B.

The next scheduled remedial action progress report will include remedial actions completed between December 1, 2015 and February 28, 2016. Please feel free to contact Ray Kennedy at (614) 793-8777 with any questions regarding the update provided herein.

Sincerely,



Raymond Kennedy
Senior Project Manager

Attachments

cc: David Jennings – Duke Linden, LLC
Clifford Ng – U.S. EPA Region 2
Joseph M. Sorge – J.M. Sorge, Inc.

ATTACHMENT A

Report Certification

Certification

**Duke Linden, LLC
ISRA Case Number E20040531-Industrial**

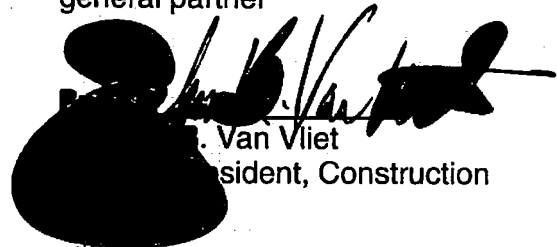
I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

Duke Linden, LLC, a Delaware limited liability company

By: Duke Realty Limited Partnership, an Indiana limited partnership, its sole member

By: Duke Realty Corporation, an Indiana corporation, sole general partner

Date: 12/14/15


J. Van Vliet
President, Construction

Sworn to and subscribed to before me on this 14th day of December, 2015


Notary



ATTACHMENT B

Site Photographs











